

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHANCE DEVAL BONNER, SR.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. 4:24-CV-00840

(Chief Judge Brann)

ORDER

AND NOW, this 4th day of March 2025, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. The United States' unopposed motion (Doc. 16) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(1) or 12(b)(6) or alternatively for summary judgment pursuant to Federal Rule of Civil Procedure 56 is **GRANTED** in part and **DENIED** in part as follows:
 - a. The motion to dismiss pursuant to Rule 12(b)(1) is **GRANTED** as to Plaintiff's FTCA claims alleging intentional infliction of emotional distress, negligent supervision, and civil conspiracy. These claims are **DISMISSED** without prejudice for lack of subject matter jurisdiction.
 - b. The motion to dismiss is **DENIED** in all other respects.
 - c. The motion for summary judgment is **GRANTED** only as to Plaintiff's FTCA claims alleging assault and battery, medical malpractice, and negligence.
2. The Clerk of Court is directed to enter judgment in favor of the United States and against Plaintiff as to the FTCA claims alleging assault and battery, medical malpractice, and negligence.

3. The Clerk of Court is further directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge